REMARKS

Claims 1, 4 - 5, 9, 10, and 12 - 21 are in this application and are presented for consideration. Claims 2, 3, 6, 8, 11 and 22 have been deleted, claims 1, 4, 13 and 21 have been amended.

Claim 1 has been amended to include the features of claims 2 and 3. Claim 13 has been rewritten to include the features of claim 16. Since all of these features have been previously presented for consideration, these new claims do not raise new issues.

Claims 1 - 5 have been rejected as being obvious over Carlson and Damico. Claim 1 sets forth a suction conduit, a pressure conduit and a line section. The rejection equates the suction conduit with element 11 of Carlson, and the pressure conduit with element 12 of Carlson. The rejection also provides a drawing showing that the line section of claim 1 appears to be also equated with element 11 of Carlson. Applicant is unsure how element 11 can be both the suction conduit and the line section of claim 1 or claim 23.

Original claim 2 and amended claim 1 set forth a reversing valve with a valve outlet connected to the respirator product. The rejection does not appear to indicate what structure in Carlson is equated with the valve outlet of claim 2. Original claim 2 and amended claim 1 set forth that the valve element has a flow channel that connects one of the valve inlets to the valve outlet. Applicant finds no teaching nor suggestion in Carlson of any structure which connects one of the indicated inlets with an outlet, especially where that outlet leads to a respirator product, and where the same respirator product, as set forth in original claim 1, is connected to the pressure conduit and the suction conduit.

Claims 9, 10 and 12 - 21 have been rejected as being anticipated by Ernst.

Claim 13 now sets forth a testing head connected to the test end of the line section and that the testing head is connectable to the breathing mask for detecting leakage. Applicant finds no teaching nor suggestion in Ernst of a testing head having all the features of claim 13.

The rejection equates element 9 of Ernst with a testing head of original claim 16. However element 9 in Ernst is a measuring head which is provided for the measurement of the flow and pressure. Applicant finds no teaching nor suggestion of element 9 of Ernst having any structure for detecting leakage. Applicant also finds no teaching nor suggestion of element 9 being connectable to a breathing mask. Instead element 9 of Ernst is described as being between a patient line 6 and a tracheal tube 10. Applicant notes that elements 6 and 10 have been previously equated with the line section of claim 13. Therefore element 9 of Ernst does not have any structure for being connectable to a breathing mask, especially for detecting leakage. Applicant notes that element 9 detects flow and pressure, but there is no indication of any structure in element 9 which would determine if a particular flow or particular pressure indicated leakage. Therefore amended claim 13 clearly defines over Ernst.

Claim 21 sets forth that the valve has a valve element defining a flow channel and the valve element is rotatable to selectively connect the flow channel to one of the pressure conduit and the suction conduit. The valve is also set forth as connecting the other of the pressure conduit and the suction conduit to the environment. Applicant has reviewed Ernst,

and does not find element 2 to connect a pressure conduit to the environment when a suction conduit is connected to a flow channel of the valve.

If element 2 is arranged as shown in Fig. 1, any flow channel in element 2 connects elements 1 and 3. If this is equated with the flow channel of claim 21 being connected with the pressure conduit, Applicant notes that element 2 does not connect the suction conduit 4, 7, 8 with the environment.

Even if elements 2, 4 and 5 are equated with the valve, and elements 7 and 8 are equated with the suction conduit, neither elements 2, 4 or 5 connect elements 7 and 8 to the environment. Therefore this grouping of the elements in Ernst also does not anticipate all of the features of claim 21. Claim 21 therefore further defines over Ernst.

Claim 13 also sets forth a fan having a suction conduit and a pressure conduit. Claim 13 sets forth a line section having a test end connected to the breathing mask and also having a valve end. A valve is then set forth in claim 13 as selectively connecting a flow of one of the pressure conduit and the suction conduit to the valve end of the line section. In the embodiment of present Fig. 1, the line section is represented by reference 20, the suction conduit by reference 6 and the pressure conduit by reference 7. The valve 10 selectively connects line section 20 to either suction conduit 6 or pressure conduit 7.

Applicant has reviewed Ernst, and finds no teaching nor suggestion of the relationship between the line section, the suction conduit, the pressure conduit and the valve. The rejection equates the line section of claim 13 with reference elements 6 and 10 of Ernst. The suction conduit is equated with elements 4, 7 and 8, and the pressure conduit with

elements 1 and 3. The valve of claim 13 has been equated with elements 2 and 5 of Ernst.

Applicant has reviewed element 5 of Ernst, and does not find element 5 to be a valve, especially a valve which selectively connects a flow of one of the pressure and suction conduits to a valve end of the line section. Element 5 of Ernst does not appear to make any selective connections, but instead appears to be a static device.

Element 2 of Ernst appears to selectively connect either elements 1 and 3 together or elements 1 and 4 together. However element 2 does not appear to connect a line section 6, 10 to a suction conduit 4, 7, 8. Since element 2 does not selectively connect a suction conduit to a line section, element 2 does not anticipate all of the features of the valve of claim 13. Claim 13 therefore cannot be anticipated by Ernst.

Applicant notes that Fig. 1 of Ernst is a block diagram. While it may be possible according to the block diagram of Fig. 1, for element 2 to connect elements 3 and 4, there is no teaching nor suggestion in the structure of Ernst for such a connection to occur with element 2. Furthermore, in the actual structure of Figs. 3 and 4, it is impossible for element 2 to connect elements 3 and 4. Applicant further notes that the description of Fig. 3 in Ernst does not appear to properly relate to the actual Fig. 3, especially with regard to elements 22, 23, 24 and 26. However the specification makes it quite clear that the distance between 23 and 24 is such that borings 23 and 24 are never both at the same time in communication with an interior of the valve 2. Therefore, Ernst leads a person away from element 2 selectively connecting elements 6, 10 with elements 4, 7 and 8. Claim 13 therefore further cannot be obvious in view of Ernst.

Even if only elements 7 and 8 of Ernst are equated with the suction conduit of the present invention, Ernst does not have all of the structure and the relationship between the structure of claim 13. Because of the structure of element 5, any flow in elements 7 and 8 are always connected to 6, 10. Elements 2 and 5 do not selectively connect a flow of 7, 8 to 6, 10. The design of element 5 is in Ernst is chosen so that 7 and 8 are always in communication with 6, 10. Furthermore, any flow in elements 7 and 8 will always be connected with elements 6, 10. Therefore, the combination of even elements 2, 4 and 5 of Ernst would not selectively connect a flow of a suction conduit to a line section. Instead any flow in elements 7 and 8 of Ernst would automatically be connected with 6, 10. Therefore not only does Ernst further fail to anticipate all of the features of the valve and its relationship to the conduits, but Ernst teaches away from selectively connecting a flow and a suction line by indicating that any flow in a suction line of Ernst would always be connected to a line section.

Claim 9 has also been rejected as anticipated by Ernst. Claim 9 sets forth further features of the valve, especially with regard to the relationships between the valve inlets and the conduits. Applicant does not find these relationships in Ernst, especially with the portions of Ernst equated with the conduits of claim 13. Therefore claim 9 further defines over Ernst.

If the Examiner has any comments or suggestions which would further favorable prosecution of this application, the Examiner is invited to contact Applicant's representative by telephone.

At this time Applicant respectfully requests reconsideration of this application, and based on the above amendments and remarks, respectfully solicits allowance of this application.

Respectfully submitted
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